

REMARKS

Claims 18 and 20 have been corrected to correct clerical errors and inconsistencies. Claim 18 has also been amended to more clearly claim the invention as it is claimed in Claims 1 and 9. Claims 1 and 9 have also been amended to clarify the claim language.

Reconsideration is respectfully requested of the rejection of Claims 1, 3-11, 13-17, 18 and 20 under 35 USC 103(e) as being obvious over Tomko in view of Chaum.

Claim 1 comprises the following claim limitation: "an authentication encrypter that encrypts the received challenge parameter with the decrypted security key to produce a response parameter". It is clear that Tomko does not disclose the apparatus receiving a challenge parameter and that Tomko neither discloses nor suggests encrypting a challenge parameter with the decrypted PIN number. Thus, Tomko does not teach the claim limitation of "an authentication encrypter that encrypts the challenge parameter with the decrypted security key to produce a response parameter".

On col.12, l.63 to col.14 , Chaum discloses challenge data generated by the external system and transmitted to the cryptographic device. Chaum also discloses decrypting a system key using an owner ID that the user just entered. Then, a new cryptographic key is generated in both the external system and the device. The new cryptographic key may be generated from the challenge data and the system key. On col.15, l.28-37, Chaum discloses the device returning the challenge key to the external system which compares it with that originally transmitted.

Chaum only discloses generating a new cryptographic key from the challenge data and the device returning the challenge data to the external system. Chaum does not disclose any other use or processing of the challenge data. Chaum does not disclose encrypting the challenge parameter. In addition, Chaum also clearly does not suggest encrypting the challenge data with the system key previously decrypted with the provided PIN since the challenge data is retransmitted to the external device for comparison with that originally transmitted. Chaum teaches away from the claim limitation.

Thus, Chaum clearly neither suggests nor teaches the claim limitation of an authentication encrypter that encrypts the challenge parameter with the decrypted security key.

Applicant respectfully requests the Examiner to point out to Applicant the portion(s) of the teachings of Chaum or Tomko which disclose(s) an authentication encrypter that encrypts a received challenge parameter with the decrypted security key to produce a response parameter.

Even if the teachings of both documents were to be combined, the result would still not teach the invention as claimed since none of the two documents teaches an encryption of a challenge parameter with the encrypted key previously decrypted with the biometric key.

Thus, neither Tomko nor Chaum, alone or in combination, teaches or suggests the invention as claimed in Claim 1.

As to independent Claim 9, for the same reasons as above, neither Tomko nor Chaum, alone or in combination, discloses the claim limitations of an authentication encrypter, that encrypts a challenge parameter using the decrypted security key to produce a response parameter and an access device that determines an access status based upon the response parameter.

As to Claim 18, for the same reasons as above, neither Tomko nor Chaum, alone or in combination, discloses the claim limitations of enabling encrypting the challenge parameter with the decrypted security key to produce an encrypted challenge parameter and enabling determining an access status based upon the encrypted challenge parameter.

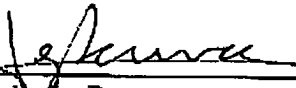
It is respectfully submitted that independent Claims 1, 9 and 18 are patentable over Tomko in view of Chaum. It is also respectfully submitted that dependent Claims 4-8, 10-11 and 13-17 are patentable over Tomko in view of Chaum at least based on their dependencies.

Applicant respectfully submits that he has answered all issues raised by the Examiner and that the application is accordingly in condition for allowance. Such allowance is therefore respectfully requested.

Please charge any fees other than the issue fee to deposit account 14-1270.  
Please credit any overpayments to the same account.

Respectfully submitted,

Dated: January 24, 2003

By   
Gwenaelle Le Pennec  
Limited Recognition under 37 C.F.R 10.9(b)  
(408) 617-4837